Reg. No. B.G. 202.

The Mysore Gazette

PUBLISHED BY AUTHORITY

(EXTRAORDINARY)

PART IV. 2-C (ii)

BANGALORE, WEDNESDAY, JUNE 14, 1967
(JYEISHTA 24, SAKA ERA 1889)

No. 137

FOOD AND CIVIL SUPPLIES SECRETARIAT.

ORDER

Bangalore, dated 31st May 1967.

S. O. 1986.—In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with S. O. No. 1844, dated the 18th June, 1966 of the Government of India in the Ministry of Commerce, the Government of Mysore hereby makes the following Order, namely :—

1. **Title, extent and commencement.**—(1) This Order may be called the Mysore Cotton Textiles (Maintenance of Accounts and Control) Order, 1967.

(2) It extends to the whole of the State of Mysore.

(3) It shall come into force on the 15th June, 1967.

2. **Definitions.**—In this Order unless the context otherwise requires,—

(*a*) "cloth" means any type of cloth manufactured either wholly from cotton, or partly from cotton and partly from any other material, and includes all synthetic fabrics in which there is an admixture of cotton, but does not include cloth manufactured wholly from wool, silk, artificial silk or jute ;

(*b*) "controlled cloth" means any type of cloth, as defined in clause (*a*), which is declared, from time to time, by the Textile Commissioner to the Government of India to be controlled cloth ;

(*c*) "dealer" means a person carrying on the business of purchase or sale of all or any variety of cloth, whether wholesale or retail and whether or not in conjunction with any other business and includes manufacturers and commission agents engaged in any such business ;

(*d*) "Enforcement Officer" means any person appointed by order by the Controller of Civil Supplies and Iron and Steel in Mysore, Bangalore, as Enforcement Officer in respect of such area as may be specified in such order and where no such person has been appointed in any area the Inspector and/or the Assistant Inspector of Civil Supplies and Iron and Steel having jurisdiction in the area.

3. Maintenance of Accounts.—(1) Every dealer shall maintain a register of daily accounts of his stock for each variety of controlled cloth, showing correctly—

(*a*) the opening stock at the beginning of each day ;

(*b*) the quantities received during the day showing the place from where and the source from which received ;

(*c*) the quantities (expressed in the same measure as he chooses for (*a*) and (*b*) delivered or otherwise removed during the day showing the bill number ; and

(*d*) the closing stock at the end of the day.

(2) Each dealer shall complete his accounts for each day before the commencement of the business for the next working day, unless prevented by reasonable cause, the burden of proving which shall be upon him.

4. Display of names of varieties of Controlled Cloth.—Every dealer shall exhibit on a notice board kept at a conspicuous part of his place of business the names of the varieties of controlled cloth which he has in stock.

Explanation.—In this clause the expression "variety" means whether the cloth is dhoti, saree, shirting, drill or long cloth but without reference to the place of manufacture or special trade names.

5. Dealer not to withhold stocks from sale.—No dealer shall withhold from sale or refuse to sell cloth ordinarily kept for sale.

6. Issue of receipt, invoice or cash memo, etc.—Every dealer shall issue in respect of every sale effected by him a correct receipt or invoice, as the case may be, in respect of the sale of cloth, and, such receipt or invoice in respect of controlled cloth shall give his own name and address, the name and address of the buyer, the date of transaction, the quantity sold, the description of the cloth including any distinguishing trade, name and number, the price per unit of sale, and the total amount charged and he shall also keep a duplicate of the receipt or invoice so issued, to be available for inspection.

7. Power of entry, search and seizure.— (1) The Enforcement Officer may, with a view to securing compliance with this Order, or to satisfying himself that the provisions of this Order have not been contravened,—

(a) enter into, or search any premises, vehicles, vessels or other conveyances in which he has reason to believe that a contravention of this Order has been, is being, or is about to be committed ;

(b) seize the stocks of cloth along with cloth the packages, coverings or receptacles in which such cloth is found and the animals, vehicles, vessels or other conveyances used in carrying such cloth in respect of which the Enforcement Officer has reason to believe that a contravention of this Order has been, is being, or is about to be committed.

(b) "dealer" means a person carrying on the business of purchase or sale of babyfood, whether wholesale or retail and whether or not in conjunction with any other business and includes manufacturers and commission agents engaged in any such business;

(c) "Enforcement Officer" means any person appointed by order by the Controller of Civil Supplies and Iron and Steel in Mysore, Bangalore, as Enforcement Officer in respect of such area as may be specified in such order, and where no such person has been appointed in any area, the Inspector and/or the Assistant Inspector of Civil Supplies and Iron and Steel having jurisdiction in the area.

3. Limit of possession by persons other than dealers. — (a) No person other than a dealer shall keep in his possession at any time more than five kilograms of babyfood.

(b) No person other than a dealer shall purchase, at any time, more than one kilogram or one packet (if it contains more than one kilogram) of babyfood.

4. Dealer not to withhold stocks from sale.—No dealer shall withhold from sale or refuse to sell babyfood ordinarily kept for sale.

5. Dealer to issue receipt or invoice.—Every dealer shall issue to every purchaser a correct receipt or invoice, as the case may be, showing his own name and address, the name and address of the purchaser, the date of transaction, the quantity and commodity sold, the price per unit of sale and the total amount charged and shall keep a duplicate of the same to be available for inspection.

6. Display of stocks and prices.—(a) Every dealer shall exhibit at the entrance or some other conspicuous part of his place of business a statement indicating the stocks of the babyfood in his possession available for sale at the commencement of each working day.

(b) Every dealer shall also display at the entrance or in some other prominent place of his business premises

(2) The provisions of Sections 102 and 103 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898) relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

[No. FSD 313 BCS 66.]

By Order and in the name of the Governor of Mysore,

S. SANTHI,

Deputy Secretary to Government,
Food and Civil Supplies Department.

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, B'lore.